

## **CHAPTER 13**

# **RECREATIONAL VEHICLE USE IN COMMERCIAL AND RESIDENTIAL ZONES**

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### **13.1. PURPOSE**

The purposes of this Chapter are:

**13.1.1.** to limit the use of Recreational Vehicles (RVs) for long term residential purposes in commercial and residential zones to protect the integrity, characteristics, and property values of these districts and the properties located therein; and

**13.1.2.** to establish procedures and standards regarding temporary occupancy of Recreational Vehicles (RVs) in commercial and residential zones and penalties for noncompliance.

### **13.2 GENERAL**

This ordinance replaces and supersedes any previous ordinance or resolution regarding temporary occupancy of RVs in commercial and residential zones. The Resort Zone is hereby exempt from the provisions of this section. Violations of this ordinance are subject to provisions outlined in VULU Chapter 1.14., Penalties.

### **13.3. DEFINITIONS**

**13.3.1.** RECREATIONAL VEHICLE (RV), TRAVEL TRAILER, or MOTOR HOME. A Recreational Vehicle (RV), Motor Home, or Travel Trailer is a vehicle designed and/or constructed to travel on public thoroughfares which is: (i) built on a single chassis; (ii) designed to be self-propelled or tow-able by a truck; and (iii) designed primarily for recreational, camping, travel, or seasonal use and not for use as a permanent dwelling but as temporary living quarters. In this ordinance, a recreational vehicle, travel trailer and motor home are collectively referred to as "Recreational Vehicle" or "RV."

## **13.4. TEMPORARY USE OF RECREATIONAL VEHICLES IN COMMERCIAL ZONES**

**13.4.1 STANDARDS.** It is the intent of the Town to allow for temporary occupancy of RVs in commercial zones based on the following standards

**13.4.1.A.** Standards of the underlying zone and of this Chapter must be met.

**13.4.1.B.** Owner-builders of a commercial development are prohibited from living in an RV on their building lot during construction unless an exception is granted by the Zoning Administrator or the Planning & Zoning Commission as part of the building permit process.

**13.4.1.B.i.** Those seeking an exception must submit a written request for consideration according to existing rules for such.

**13.4.1.B.ii.** The Planning and Zoning Commission shall review the request and make a determination that an exception is prudent and will not undermine the intent of the zone or harm the public health, safety, or welfare. The Planning and Zoning Commission may impose conditions to mitigate any anticipated nuisance.

**13.4.1.C.** On-street parking of RVs is prohibited.

**13.4.1.D.** The RV shall not be on site more than five (5) days prior to the beginning of construction for which a valid building permit has been issued and shall be removed within five (5) days of completion, granting of certificate of occupancy, or expiration of building permit, whichever occurs first.

**13.4.1.E.** When occupying an RV, approved power cords and water hoses are allowed for utility hook-ups. Occupants are expressly prohibited from tying into the septic system anytime during occupancy unless connecting via an approved hook-up on site. If connecting to an approved hook-up, the applicant shall show that the impact will not exceed 1-ERU capacity on the septic system.

**13.4.1.F.** The area surrounding an RV shall be kept tidy and free from trash and debris.

**13.4.1.G.** The RV shall be in good repair and free from substantial defects or unsightliness.

**13.4.1.H.** A maximum of one permit for one limited living quarters may be granted on a Commercial lot.

**13.4.1.I.** Maximum occupancy of an RV under the provisions of this chapter is limited to one immediate family or two (2) adult occupants.

**13.4.1.J.** Only the owner, proprietor or operator of an approved business can apply for a permit to occupy an RV in a commercial zone. Applicant must demonstrate to the satisfaction of the Land Use Authority that occupancy is complementary to the primary use and not for rental purposes AND that a presence is necessary to ensure the safety and security of an established business OR the nature of the business requires an off-hours presence on the premises.

**13.4.2. APPLICATION AND PERMIT.**

Applications for a permit allowing occupancy of an RV in a commercial zone shall be made in writing by the owner to the Planning and Zoning Commission and require a permit fee as set by the Town. Applications shall include, at a minimum, the following details:

**13.4.2.A.** Description of need or purpose for a residential presence;

**13.4.2.B.** The dates of occupancy. Temporary occupancy shall not last longer than six (6) months unless an exception is granted by the Zoning Administrator;

**13.4.2.C.** Hours of operation;

**13.4.2.D.** Nature of work to be performed by the RV occupant;

**13.4.2.E.** A copy of a valid building permit if applicable;

**13.4.2.F.** Photos of the RV to be occupied and a plan showing how it will be situated on the lot. The Zoning Administrator may require a change in RV placement of the installation of screening to mitigate off-site visual impact; and

**13.4.2.G.** A signed statement indicating that the applicant has

read and understands the provisions of this chapter and associated penalties for violations of such.

## **13.5 TEMPORARY USE OF RECREATIONAL VEHICLES IN RESIDENTIAL AND RURAL RESIDENTIAL ZONES**

### **13.5.1. STANDARDS.**

It is the intent of the Town to allow for temporary occupancy of RVs in residential and rural residential zones based on the following:

**13.5.1.A.** Standards of the underlying zone must be met. Except as expressly outlined herein, there are no exceptions to the rules established by this Chapter.

**13.5.1.B.** Residential owner-builders are prohibited from living in an RV on their building lot during construction unless an exception is granted by the Zoning Administrator or the Planning and Zoning Commission.

**13.5.1.B.i.** Those requesting an exception must submit a written request for consideration according to existing rules for such.

**13.5.1.B.ii.** The Planning and Zoning Commission shall review the request and make a determination that an exception is prudent and will not undermine the intent of the zone or harm the public health, safety, or welfare. The Planning and Zoning Commission may impose conditions to mitigate any anticipated nuisance.

**13.5.1.C.** On-street parking of RVs is prohibited.

**13.5.1.D.** When occupying an RV under the provisions of this chapter, power cords and water hoses are allowed for utility hook-ups. Occupants are expressly prohibited from tying into the septic system anytime during occupancy unless connecting via an approved hook-up at the host's residence.

**13.5.1.E.** Rental of RVs is prohibited.

**13.5.1.F.** Whether occupied or not, the area surrounding an RV parked in a residential or rural residential zone must be kept tidy and free from trash and debris.

**13.5.1.G.** Residents may host RV guests on their privately

owned residential lots in a resident-owned or guest-owned recreational vehicle for up to thirty (30) days with no encumbrances.

**13.5.1.H.** No single occupancy shall exceed thirty (30) days without a permit issued by the Virgin Town Zoning Administrator or an exception is granted by the Planning and Zoning Commission.

### **13.5.2 APPLICATION AND PERMIT**

Applications for permit allowing occupancy of an RV in a residential or rural residential zone shall be made by the host resident in writing to the Planning and Zoning Commission and require a permit fee as set by the Town.. Applications shall include, at a minimum, the following details:

**13.5.2.A.** Description of need or purpose;

**13.5.2.B.** The dates of occupancy. Temporary occupancy shall not last longer than thirty (30) days within a 180-day period unless an exception is granted by the Zoning Administrator.

**13.5.2.C.** A proposal for mitigation of health and safety concerns related to an extended visit and show the impact will not exceed 1-ERU capacities on the septic system;

**13.5.2.D.** Applicant must demonstrate to the satisfaction of the Zoning Administrator that occupancy is not for rental purposes;

**13.5.2.E.** A signed statement indicating that the applicant has read and understands the provisions of this chapter and associated penalties for violations of such.

**13.5.3. PROHIBITED USE.** Using an RV as a permanent residence, or satellite bedroom for a primary residence, is expressly prohibited by this ordinance.